

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

Theresa Grimm

v.

Civil No. 07-cv-400-JL

Ralph W. Shirley Post #46, Incorporated

ORDER

Re: Document No. 7, Assented to Motion to Extend Time to
Object/Respond to Motion to Dismiss

Ruling: Granted. Plaintiff's counsel is reminded to comply with the requirements of Local Rule 7.2(a) when filing motions to extend time, even when the assent of adverse counsel has been obtained. While obviously not a major infraction of the rules, compliance will assist the Court in handling motions expeditiously.

To the extent that the motion requests leave to treat the defendant's motion for summary judgment, the motion is denied. While the Court appreciates both parties' willingness to advance the procedural posture of the case to the summary judgment stage, counsel are instructed to restrict themselves to the procedural and substantive standards applicable to the defendant's motion as originally styled: a motion to dismiss. If plaintiff's position is that the defendant has introduced information outside the proper scope of a motion to dismiss, plaintiff's counsel should note as much in plaintiff's objection.

/s/ Joseph Laplante
Joseph Laplante
U.S. District Judge

Date: January 21, 2008

cc: Leslie H. Johnson, Esq.
Linda S. Johnson, Esq.
Michael T. Pearson, Esq.